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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STEPHEN CHAPMAN,

Plaintiff,

vs.

HORACE MANN PROPERTY & CASUALTY
INSURANCE COMPANY, et al,

Defendant

Case No.: 2:24-CV-10546-MWF-BFM
Hon. Michael W. Fitzgerald

**PLAINTIFF'S SUPPLEMENTAL BRIEF AND
EVIDENTIARY DECLARATION IN SUPPORT OF
MOTION FOR RECONSIDERATION, MOTION
TO STRIKE, MOTION FOR SANCTIONS, AND
OBJECTION TO CONTINUED FEDERAL
JURISDICTION**

*"Fraus Omnia Vitiat" — Fraud Vitiates All:
Demonstrating Defendant's Procedural Misconduct,
CM/ECF Abuse, and Fraud Upon the Court*

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TO THE HONORABLE COURT

INTRODUCTION

Plaintiff, Stephen Chapman, pleading in this matter pro se moves this court to strike Dkt 34, and its supporting declarations which have been specifically designed to taint the record and bolster Contrary falsehoods that are made in 34 and preceding arguments like 25, 25-1, and the outlandish, “miscellaneously” filed unilateral Rule 26(f) report [Dkt. 16] and **second** Rule 26(f) report [Dkt. 28] must be stricken for willfully entering false statements and rhetoric into the record—which the egregious nature, arguably puts the defendant in contempt of court; aimed at appearing “well-supported.” However, upon objective review, instead of blind reliance, the court may find the defenses’ arguments are completely fictitious and demonstrably incorrect – therefore compelling the pro se Plaintiff into conducting reviews of every opposition filed by the defense in this matter, thereby the court should expect several more of these “notices” to follow so that the record stands with honor and reflects the truth.

SECTION 1(Table): TARGETED ASSERTIONS CONTRARY TO LEGALLY AUTHORITY & FORSENSICS

Dkt 34 Reference	Defense Assertion	Plaintiff Rebuttal
¶1-5	Removal timely; Complaint attached to Notice of Removal (NOR)	Refuted: Forensic metadata shows Complaint and FAC were not attached at removal (Dec 6, 2024) but inserted Dec 11, 2024. This violates 28 U.S.C. § 1446(a) and renders removal defective. ¹

¹ Evidence suggests that the complaint (“*Discovery*”)(“Exh. A”), “other complaint” (“*Discovery*”)(“Exh. A”) and the answer (“*Discovery*”)(“Exh. B”) were strategically attached to create an advantageous void in the record that could be used to “modify” the record without judicial scrutiny. This playbook practice may provide ample opportunity for attorneys to intervene otherwise procedural errors caused by their own malfeasance and Fraud on the Court. Federal record tampering in due course to correct the Maligned timing inherently associated to

- ¶6-10 Email service was Refuted: Proof of Service confirms intent to serve by email and courtesy only mail; electronic service requires Plaintiff’s explicit consent under FRCP 5(b)(2)(E), which was never granted.
- ¶11-20 PACER and Refuted: Non-attorney staff accessed attorney PACER CM/ECF filings credentials, violating Local Rule 5-4.1.1 and FRCP 11(a); these proper defects undermine the integrity of filings and authorize challenge.
- ¶21-30 Diversity jurisdiction Refuted: Raymond Pruitt, named forum defendant, was on the stands; forum docket pre-removal; Ninth Circuit precedent (Hunter, Lively) defendant irrelevant prohibits removal when a properly joined forum defendant exists.
- ¶31-40 Amount in Refuted: Plaintiff controls damages claim; under Richmond v. controversy exceeds Allstate, Plaintiff may stipulate under the threshold to block \$75,000 federal jurisdiction; no judicially binding concession was made.
- ¶41-50 Rule 26(f) report Refuted: Defense unilaterally filed the Rule 26(f) report without filed correctly Plaintiff’s participation, breaching FRCP 26(f)(2) and Local Rule 26-1; event code misclassification compounds the violation.
- ¶51-60 Timely state court Refuted: State court was not notified until Jan 7, 2025, outside notification under § the statutory window; removal was thus incomplete and invalid 1446(d) under § 1446(d).

anticipatorily address mail delays and default incurred through the deployment of a centralized distribution system located in or around Houston Texas where “*the firms practice of collection and processing correspondence for mailing*” (see, EXHIBIT 1) attached (“Affidavit” POS) are allegedly coordinated by FMG and “*under that practice it would be deposited with U.S. postal service on that same day with postage there on fully prepaid at Los Angeles, California in the ordinary course of business.*” (*Id.*).

Accordingly, this practice requires manual intervention, coordination from the court clerk or inadvertent access to the record by the attorney or person associated that initial opening of the case to then redress the void (aka “Exhibit A[2]” and the omitted Exhibit C (MIA Post Hac) documents where and when a discrepancy is flagged, thus the opportunity to exploit manipulate and defy the United States of America’s Judiciary System and the Right to Fair Adjudication has been stripped from its core.(see EXHIBIT 1: “Modified Att: 3” at NOR 1)

¶61- Plaintiff's motions **Refuted:** Plaintiff's rights to challenge jurisdictional and frivolous; sanctions procedural defects under FRCP 60(b), 60(d)(3), Mission Power, warranted and Richmond are preserved; defense arguments mischaracterize the law. Plaintiff disregards the failure to serve answer at the State court action thereby rendering the plaintiff's objections timely and proper – this court must acknowledge the evidence filed in this regard – *See* Plaintiff's Request for Reconsideration of Motion to Remand. Filed 5/09/2025 (Dkt 45).

SECTION 2: SUPPLEMENTAL LEGAL ARGUMENTS

1. 28 U.S.C. § 1446(a) Violations

- NOR missing Complaint/FAC: procedural defect.
- Failure to attach state court pleadings mandates remand under § 1447(c).

2. Forum Defendant Rule (§ 1441(b)(2))

- Raymond Pruitt, California resident, preserved as forum defendant, blocks diversity removal.

3. FRCP 5(b)(2)(E) Violations

- No consent to email service; improper service nullifies defense reliance on courtesy argument.

4. CM/ECF Credential Misuse

- Violation of Local Rule 5-4.1.1; exposes filings to challenge under FRCP 11(a).

5. Amount in Controversy

- Plaintiff reserves right to stipulate below \$75,000 threshold to defeat federal jurisdiction.

6. Judicial Bias and Recusal Grounds

- *Liteky v. United States*, 510 U.S. 540 (1994): pattern of bias, disregard of material evidence.

7. Sanctions Demand

- Seek FRCP 11(c), 28 U.S.C. § 1927, Local Rule 83-7 sanctions for defense misrepresentations and bad-faith tactics.

SECTION 3: DECLARATIONS AND EVIDENTIARY SUPPORT

Filing	Purpose
DECL. EVIDENTIARY STATEMENT [67:11]	Authenticates metadata discrepancies, NEF timeline, and PACER record anomalies.
DECL. MOTION RECONSIDER REMAND [67:4]	Details corporate disclosure failures under Rule 7.1 and misrepresentation of ownership.
METADATA ANALYSIS FORENSICS [67:11]	Documents manual docket modifications and backdated entries.
SUPPLEMENTAL JUDICIAL NOTICE [67:12]	Alerts court to missing filings, seeks docket correction.
SUPPLEMENTAL MOTION (4TH CAUSE) [67:6]	Preserves forum defendant argument, highlights regulatory violations.
DECL. FORUM DEFENDANT [67:15]	Confirms forum defendant status of Pruitt and his agency; cites California regulatory records.

APPENDICES OF LEGAL AUTHORITIES –CONTROLLING PRECEDENCE

Legal Issue	Binding Ninth Circuit Authority	Citation + URL
Forum Defendant Rule (Pre-service, diversity destruction)	Hunter v. Philip Morris USA, 582 F.3d 1039 (9th Cir. 2009)	https://cdn.ca9.uscourts.gov/datastore/opinions/2009/09/30/07-56674.pdf
Forum Defendant Rule enforcement	Lively v. Wild Oats Markets, Inc., 456 F.3d 933 (9th Cir. 2006)	https://law.justia.com/cases/federal/appellate-courts/ca9/04-56682/0456682-2011-02-25.html

Legal Issue	Binding Ninth Circuit Authority	Citation + URL
Procedural defect, mandatory remand, timeliness	Kelton Arms Condo. Owners Ass’n v. Homestead Ins. Co., 346 F.3d 1190 (9th Cir. 2003)	https://law.justia.com/cases/federal/appellate-courts/F3/346/1190/510808/
Abstention doctrine (insurance regulatory matters)	United States v. Morros, 268 F.3d 695 (9th Cir. 2001)	https://law.justia.com/cases/federal/appellate-courts/F3/268/695/608525/
Amount in controversy, plaintiff’s right to limit damages	Richmond v. Allstate Ins. Co., 897 F. Supp. 447 (S.D. Cal. 1995) (cited favorably)	https://law.justia.com/cases/federal/district-courts/FSupp/897/447/1470628/
Sanctions, improper filings, bad faith conduct	Mission Power Eng’g Co. v. Continental Cas. Co., 883 F. Supp. 488 (C.D. Cal. 1995) (applied in Ninth Circuit)	https://www.courtlistener.com/opinion/8730597/mission-power-engineering-co-v-continental-casualty-co/
Judicial bias, recusal standard	Liteky v. United States, 510 U.S. 540 (1994) (Supreme Court, controlling)	https://supreme.justia.com/cases/federal/us/510/540/

CONTROLLING AUTHORITY (WITH PINPOINT)

- **Hunter v. Philip Morris USA, 582 F.3d 1039, 1043–44 (9th Cir. 2009)** — forum defendant bars removal.
- **Lively v. Wild Oats Markets, Inc., 456 F.3d 933, 939 (9th Cir. 2006)** — Congress designed forum defendant rule to prevent removal gamesmanship.
- **Kelton Arms Condo. Owners Ass’n v. Homestead Ins. Co., 346 F.3d 1190, 1192 (9th Cir. 2003)** — procedural defects require remand.
- **Richmond v. Allstate Ins. Co., 897 F. Supp. 447, 450–51 (S.D. Cal. 1995)** — plaintiff’s stipulation limits jurisdiction.

- **Mission Power Eng’g Co. v. Continental Cas. Co., 883 F. Supp. 488, 491–92 (C.D. Cal. 1995)** — sanctions proper for bad-faith filings.
 - **Liteky v. United States, 510 U.S. 540, 555 (1994)** — judicial bias review standard.
-

CONCLUSION

This Court should demonstrate objective and independent adjudication – the appearance of repetitive typos suggests copy/paste rulings instead judicial consideration insight and deliberation. *See [Dkt Nos.17, and 27 citing “28 U.S.C. §§ 1132” in error & without correction], See [Dkt. No. 40 (mischaracterizing the operative complaint and adopting defenses’ bias arguments “See (NOR at 2)” that omit and misrepresent the plaintiff’s core allegations). This indicates a **troubling pattern** whereby the Court has, perhaps inadvertently, substituted the defense’s reframing directly and subconsciously (“looped” repetitive and scaled reframing of statements maligned with the truth that are carefully prescribed throughout their arguments) for the actual complaints and thus skewed its ability to reason objectively on the merits –contrary to Rule 8 and due process.*

ACCORDINGLY, THE PLAINTIFF’S PRAYERS:

1. Carefully re-review the record;
Correct the falsehoods and strike all evidence of bad faith litigation;
2. Use it’s inherent authority and issue Sanctions for procedural misconduct;
Judicial notice of all rebuttal evidence and filings;
3. Order of Preservation (all records related to service of documents that the Defendant is or should have been “readily aware” of;

1 Preservation of rights to further challenge jurisdictional and procedural
2 defects.

3 Respectfully submitted,

4 
5 **Stephen R. Chapman, Plaintiff Pro Se**
6 **Date: May 10, 2025**

7
8 **CERTIFICATE OF SERVICE**

9
10 **I certify that on May 10, 2025, I filed this redline rebuttal brief via CM/ECF,**
11 **serving all registered participants.**

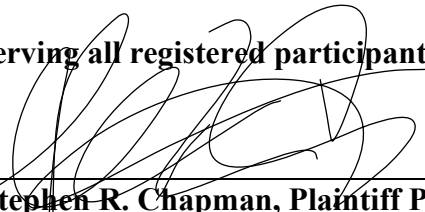
12 
13 **Stephen R. Chapman, Plaintiff Pro Se**
14

EXHIBIT 1

FMG CERTIFICATE OF SERVICE

AFFIDAVIT

PROOF OF SERVICE

Stephen Chapman v. Horace Mann Property, et al. / Case No. 24STCV27909

I am over 18 years of age and not a party to this action. I am employed in Los Angeles, California. My business address is 550 S. Hope Street, Suite 2200, Los Angeles, California 90071, my email: connie.spears@fmglaw.com.

On December 5, 2024, I served a copy of the document(s) titled **ANSWER OF HORACE MANN PROPERTY AND CASUALTY INSURANCE COMPANY TO FIRST AMENDED COMPLAINT** in the manner described below:

STEPHEN CHAPMAN, IN PRO PER 7917 Selma Avenue 336 Los Angeles, CA 90046 T: 619.550.7543 stefinchapman@outlook.com	
---	--

- ☒ **(BY MAIL)** I deposited such envelope(s) in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **(BY OVERNIGHT DELIVERY)** I placed said documents in envelope(s) for collection following ordinary business practices, at the business offices of FREEMAN MATHIS & GARY, LLP and addressed as shown on the attached service list, for collection and delivery by FEDEX to receive said documents, with delivery fees provided for. I am readily familiar with the practices of FREEMAN MATHIS & GARY, LLP for collection and processing of documents for overnight delivery and said envelope(s) will be deposited for receipt by FEDEX on said date in the ordinary course of business.
- ☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand to the offices of the addressee(s).
- ☒ **(BY-E-MAIL)** I caused a copy of the document(s) to be sent from e-mail address connie.spears@fmglaw.com to the person(s) at the email address(es) listed in the attached Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 5, 2024, at Houston, Texas.



Connie Spears

EXHIBIT 2

SCREENSHOT OF FEDERAL DOCKET

**CASE OPENING EVENTS
(AS THEY APPEAR POST HAC MODIFICATION)**

Notice to Counsel Re Consent to Proceed Before a United States Magistrate Judge. (car)

4



adr

Notice to Parties of Court-Directed ADR Program (ADR-8) - optional html form

Wed 12/11 11:08 AM

NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (car)

3



notice

Notice of Assignment to United States Judges (CV-18) - optional html form

Wed 12/11 11:08 AM

NOTICE OF ASSIGNMENT to District Judge Michael W. Fitzgerald and Magistrate Judge Brianna Fuller Mircheff. (car)

Friday, December 06, 2024

2



notice

Certificate/Notice of Interested Parties

Fri 12/06 5:11 PM

NOTICE of Interested Parties (Ingulsrud, Kristin)

1



notice

Notice of Removal (Attorney Civil Case Opening)

Fri 12/06 5:08 PM

NOTICE OF REMOVAL from County of Los Angeles, case number 24STCV27909 Receipt No: ACACDC-38712961 - Fee: \$405, filed by Defendant HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY. (Attorney Kristin A Ingulsrud added to party HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY(pty:dft))(Ingulsrud, Kristin)

Att: 1 Civil Cover Sheet,

Att: 2 Declaration Declaration of Matthew Rubin,

Att: 3 Declaration Declaration of Kristin A. Ingulsrud

cmp

Complaint - (Discovery)

Wed 12/11 11:10 AM

CONFORMED COPY OF COMPLAINT against Defendants Horace Mann Property and Casualty Insurance Company, filed by Plaintiff Stephen Chapman. Filed in State Court on 10/24/2024 Submitted with Attachment 3 Exhibit A to Notice of Removal1 (car) Modified on 12/11/2024 (car)

othcmp

Amended Complaint

Wed 12/11 11:13 AM

CONFORMED COPY OF FIRST AMENDED COMPLAINT against Defendant Horace Mann Property and Casualty Insurance Company amending Complaint - (Discovery), filed by Plaintiff Stephen Chapman. Filed in State Court on 11/14/2024 Submitted with Attachment 3 Exhibit A to Notice of Removal1 (car)

answer

Answer to Complaint (Discovery)

Wed 12/11 11:16 AM

NON-CONFORMED COPY OF ANSWER to Amended Complaint, filed by Defendant Horace Mann Property and Casualty Insurance Company. Submitted with Attachment 3 Exhibit B to Notice of Removal1 (car)

EXHIBIT 3

**FORENSIC ANALYSIS METADATA CASE
OPENING NEF LEAD DOCUMENTS
ENCLOSURES AND ATTACHMENTS OR LACK
THEREOF**

Document Selection Menu

Select the document you wish to view.

Document Number:		<input checked="" type="checkbox"/>	1		5 pages	60.2 KB
Attachment		Description			Pages	Size
<input checked="" type="checkbox"/>	1	Civil Cover Sheet			4 pages	88.8 KB
<input checked="" type="checkbox"/>	2	Declaration Declaration of Matthew Rubin			6 pages	697.5 KB
<input checked="" type="checkbox"/>	3	Declaration Declaration of Kristin A. Ingulsrud			31 pages	1.2 MB
<div><div>View Selected</div> or <div>Download Selected</div></div>					46 pages	2.0 MB

MIME-Version:1.0
From:cacd_ecfmail@cacd.uscourts.gov
To:ecfnef@cacd.uscourts.gov
Message-Id:<39136919@cacd.uscourts.gov>
Subject:Activity in Case 2:24-cv-10546 CHAPMAN v. HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY Notice of Removal (Attorney Civil Case Opening)
Content-Type: text/html

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Notice of Electronic Filing

The following transaction was entered by Ingulsrud, Kristin on 12/6/2024 at 5:08 PM PST and filed on 12/6/2024

Case Name: CHAPMAN v. HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY

Case Number: 2:24-cv-10546

Filer: HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY

Document Number: 1

Docket Text:

NOTICE OF REMOVAL from County of Los Angeles, case number 24STCV27909 Receipt No: ACACDC-38712961 - Fee: \$405, filed by Defendant HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY. (Attachments: # (1) Civil Cover Sheet, # (2) Declaration Declaration of Matthew Rubin, # (3) Declaration Declaration of Kristin A. Ingulsrud) (Attorney Kristin A Ingulsrud added to party HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY(pty:dft)) (Ingulsrud, Kristin)

2:24-cv-10546 Notice has been electronically mailed to:

Kristin A Ingulsrud kristin.ingulsrud@fmglaw.com, connie.spears@fmglaw.com

2:24-cv-10546 Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

STEPHEN CHAPMAN

The following document(s) are associated with this transaction:

Document description:Main Document





Original filename:C:\fakepath\1-2024-12-06 Notice of Removal.pdf

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Verify Document(s)

[2:24-cv-10546-MWF-BFM Stephen Chapman v. Horace Mann Property and Casualty Insurance Company](#)

Date	#	Docket Text
12/06/2024		NOTICE OF REMOVAL from County of Los Angeles, case number 24STCV27909 Receipt No: ACACDC-38712961 - Fee: \$405, filed by Defendant HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY. (Attachments: #  Civil Cover Sheet, #  Declaration Declaration of Matthew Rubin, #  Declaration Declaration of Kristin A. Ingulsrud) (Attorney Kristin A Ingulsrud added to party HORACE MANN PROPERTY & CASUALTY INSURANCE COMPANY(pty:dft))(Ingulsrud, Kristin)

File size is 61639

File size is 90920

File size is 714259

File size is 1207646

Original Signature(s)

Document No: 39136917

Document description:Main Document

Original filename:C:\fakepath\1-2024-12-06 Notice of Removal.pdf

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Document No: 39136917

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Original filename:C:\fakepath\4-2024-12-06 SIGNED Dec of Rubin.pdf

Electronic document Stamp:

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Document No: 39136917

Document description:Declaration Declaration of Kristin A. Ingulsrud

Original filename:C:\fakepath\3-2024-12-06 Declaration of Ingulsrud.pdf

Electronic document Stamp:

EXHIBIT : PAGE 12

#1290

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Verified Signature(s)

Document No: 39136917

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Document No: 39136917

Document description:Declaration Declaration of Matthew Rubin

Original filename:C:\fakepath\4-2024-12-06 SIGNED Dec of Rubin.pdf

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Document No: 39136917

Document description:Declaration Declaration of Kristin A. Ingulsrud

Original filename:C:\fakepath\3-2024-12-06 Declaration of Ingulsrud.pdf

Electronic document Stamp:

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The documents signatures are the same

If the list of cases shown above is incorrect, click the back button of the browser to change it.

EXHIBIT 3.1

PROOF OF SERVICE

Stephen Chapman v. Horace Mann Property, et al. / Case No. 24STCV27909


I am over 18 years of age and not a party to this action. I am employed in Los Angeles, California. My business address is 550 S. Hope Street, Suite 2200, Los Angeles, California 90071, my email: connie.spears@fmglaw.com.

On December 5, 2024, I served a copy of the document(s) titled **ANSWER OF HORACE MANN PROPERTY AND CASUALTY INSURANCE COMPANY TO FIRST AMENDED COMPLAINT** in the manner described below:

STEPHEN CHAPMAN, IN PRO PER 7917 Selma Avenue 336 Los Angeles, CA 90046 T: 619.550.7543 stefinchapman@outlook.com	
---	--

- ☒ **(BY MAIL)** I deposited such envelope(s) in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **(BY OVERNIGHT DELIVERY)** I placed said documents in envelope(s) for collection following ordinary business practices, at the business offices of FREEMAN MATHIS & GARY, LLP and addressed as shown on the attached service list, for collection and delivery by FEDEX to receive said documents, with delivery fees provided for. I am readily familiar with the practices of FREEMAN MATHIS & GARY, LLP for collection and processing of documents for overnight delivery and said envelope(s) will be deposited for receipt by FEDEX on said date in the ordinary course of business.
- ☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand to the offices of the addressee(s).
- ☒ **(BY-E-MAIL)** I caused a copy of the document(s) to be sent from e-mail address connie.spears@fmglaw.com to the person(s) at the email address(es) listed in the attached Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 5, 2024, at Houston, Texas.



Connie Spears



DOWNLOADED FROM
LASC CASE DOCUMENT

1 FREEMAN MATHIS & GARY, LLP
2 Marc J. Shrake, SBN 219331
3 mshrake@fmglaw.com
4 Kristin A. Ingulsrud, SBN 294532
5 kristin.ingulsrud@fmglaw.com
6 550 South Hope Street, Suite 2200
7 Los Angeles, CA 90071
8 T.: 213.615.7000 | F: 833.264.2083

6 Attorneys for Defendant Horace Mann Property
7 and Casualty Insurance Company

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 STEPHEN CHAPMAN,
11 Plaintiff,

12 v.

13 HORACE MANN PROPERTY &
14 CASUALTY INSURANCE
15 COMPANY,

16 Defendant,

CASE NO. 24STCV27909
Honorable Michael Shultz
Department 40

**ANSWER OF HORACE MANN PROPERTY AND
CASUALTY INSURANCE COMPANY TO FIRST
AMENDED COMPLAINT**

Complaint filed: October 24, 2024
First Amended Complaint filed: November 14, 2024
Trial Date: None

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20 Defendant HORACE MANN PROPERTY AND CASUALTY INSURANCE
21 COMPANY ("Horace Mann") answers the First Amended Complaint ("Complaint") filed by
22 Plaintiff STEPHEN CHAPMAN ("Chapman") as follows:

23 **GENERAL DENIAL**

24 Under California Code of Civil Procedure § 431.30(d), Horace Mann denies each and
25 every allegation and claim in the Complaint, all and singular, general and specific, and denies
26 that Chapman has been damaged, or has sustained any injury, damages, or loss, by reason of
27 any act or omission by Horace Mann or its agents, representative servants, or employees.

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DEFENDANT HORACE MANN'S ANSWER TO FAC

Electronically FILED by
Superior Court of California,
County of Los Angeles
12/05/2024 4:41 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By R. Sanchez, Deputy Clerk

MAILED FROM
DEFENDANT :
IMPROPER SERVICE



1 FREEMAN MATHIS & GARY, LLP
2 Marc J. Shrake, SBN 219331
3 mshrake@fmglaw.com
4 Kristin A. Ingulsrud, SBN 294532
5 kristin.ingulsrud@fmglaw.com
6 550 South Hope Street, Suite 2200
7 Los Angeles, CA 90071
8 T.: 213.615.7000 | F: 833.264.2083

6 Attorneys for Defendant Horace Mann Property
7 and Casualty Insurance Company

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 STEPHEN CHAPMAN,
11 Plaintiff,

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13 HORACE MANN PROPERTY &
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DEFENDANT HORACE MANN'S ANSWER TO FAC

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PROOF OF SERVICE
Stephen Chapman v. Horace Mann Property, et al. | Case No. 24STCV27909

I am over 18 years of age and not a party to this action. I am employed in Los Angeles, California. My business address is 550 S. Hope Street, Suite 2200, Los Angeles, California 90071, my email: connie.spears@fmglaw.com.

On December 5, 2024, I served a copy of the document(s) titled **ANSWER OF HORACE MANN PROPERTY AND CASUALTY INSURANCE COMPANY TO FIRST AMENDED COMPLAINT** in the manner described below:

STEPHEN CHAPMAN, IN PRO PER 7917 Selma Avenue 336 Los Angeles, CA 90046 T: 619.550.7543 stefinchapman@outlook.com	
---	--

☒ **(BY MAIL)** I deposited such envelope(s) in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.


☐ **(BY OVERNIGHT DELIVERY)** I placed said documents in envelope(s) for collection following ordinary business practices, at the business offices of FREEMAN MATHIS & GARY, LLP and addressed as shown on the attached service list, for collection and delivery by FEDEX to receive said documents, with delivery fees provided for. I am readily familiar with the practices of FREEMAN MATHIS & GARY, LLP for collection and processing of documents for overnight delivery and said envelope(s) will be deposited for receipt by FEDEX on said date in the ordinary course of business.

☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand to the offices of the addressee(s).

☒ **(BY-E-MAIL)** I caused a copy of the document(s) to be sent from e-mail address connie.spears@fmglaw.com to the person(s) at the email address(es) listed in the attached Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 5, 2024, at Houston, Texas.


Connie Spears

PROOF OF SERVICE

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PROOF OF SERVICE
Stephen Chapman v. Horace Mann Property, et al. | Case No. 24STCV27909

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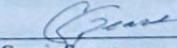
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☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand to the offices of the addressee(s).

☒ **(BY-E-MAIL)** I caused a copy of the document(s) to be sent from e-mail address connie.spears@fmglaw.com to the person(s) at the email address(es) listed in the attached Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 5, 2024, at Houston, Texas.


Connie Spears

PROOF OF SERVICE

Defendant HORACE MANN BRODEDTV AND CASUALTY INSURANCE

[AZ](#) | [CA](#) | [CO](#) | [CT](#) | [DE](#) | [FL](#) | [GA](#) | [IL](#) | [IN](#) | [KY](#) | [MA](#) | [NJ](#) | [NM](#) | [NV](#) | [NY](#) | [OH](#) | [PA](#) | [RI](#) | [TN](#) | [TX](#) | [WA](#)

Please read this important notice and confidentiality statement

EXHIBIT 3.2

A) Attorney Marc Shrake Email addressed to "Legal Secretary" Instructing [her] to change, alter, or otherwise add details requiring CM/ECF access to his specific details.

B) Attorney Kristin Ingulsurd states in an email address to Plaintiff "I need to to get it to my assistant.....she has my login info."

2/24/25, 6:36 PM

Re: Chapman v. Horace Mann - Notice of Removal plus supporting docs | Central District Court | 117684 - Stephen Chapman - Outl...



Re: Chapman v. Horace Mann - Notice of Removal plus supporting docs | Central District Court | 117684

From Marc J. Shrake <MShrake@fmglaw.com>

Date Fri 12/6/2024 5:36 PM

To Connie Spears <connie.spears@fmglaw.com>

Cc stefinchapman@outlook.com <stefinchapman@outlook.com>; Kristin A. Ingulsrud <kristin.ingulsrud@fmglaw.com>

Please send me file marked copies of everything. I did not receive any notice from the court. Please make sure that I am listed as a lawyer on the case with my email address so that I get everything that's filed. Thank you.

Marc

Marc J Shrake
310-892-3759

Mobile phone communication. Please excuse brevity and typos.

On Dec 6, 2024, at 18:23, Connie Spears <connie.spears@fmglaw.com> wrote:

Mr. Stephen Chapman, attached for electronic email service, please find the following documents:

NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441
CIVIL COVER SHEET
CERTIFICATE AND NOTICE OF INTERESTED PARTIES
DECLARATION OF KRISTIN INGULSRUD IN SUPPORT OF NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441
DECLARATION OF MATTHEW RUBIN IN SUPPORT OF NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441

Hard copies will follow via U.S. Mail.

Thank you
Connie Spears

Legal Secretary

Freeman Mathis & Gary, LLP

550 South Hope Street | Suite 2200 | Los Angeles, CA 90071-2631

D: [213-615-7046](tel:213-615-7046)

Email: connie.spears@fmglaw.com

www.fmglaw.com | [Instagram](#) | [Twitter](#) | [Facebook](#)

From: [Kristin A. Ingulsrud](#) Case 2:24-cv-10546-MWF-BFM Document 47 Filed 05/11/25 Page 27 of 31 Page ID #:1299
Sent on: Tuesday, January 14, 2025 3:40:13 PM
To: [Stephen Chapman](#)
Subject: RE: 2025-01-14 Joint Stip re Rule 26(f) Report(29176217.1).docx

Thanks, I just received the email. The court needs to grant leave to file an amended complaint at this point because an answer was already filed, so the first amended complaint is still the operative complaint for purposes of the Joint Report.

Do you wish to file a stipulation today requesting more time to sort out the issues in the Joint Report? I need to know ASAP because I need to get it to my assistant before she leaves since she has my login info.

Kristin A. Ingulsrud

Senior Counsel

Freeman Mathis & Gary, LLP

550 South Hope Street | 22nd Floor | Los Angeles, CA 90071-2631

D: [213-615-7056](tel:213-615-7056) | C: [909-210-2763](tel:909-210-2763)

Email: kristin.ingulsrud@fmglaw.com

www.fmglaw.com | [Instagram](#) | [Twitter](#) | [Facebook](#)



Freeman
Mathis & Gary LLP
When It Counts

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[Please read this important notice and confidentiality statement](#)

From: Stephen Chapman <stefinchapman@outlook.com>
Sent: Tuesday, January 14, 2025 3:33 PM
To: Kristin A. Ingulsrud <kristin.ingulsrud@fmglaw.com>
Subject: Re: 2025-01-14 Joint Stip re Rule 26(f) Report(29176217.1).docx

Caution: This email originated from outside of the FMG organization. **Do not click links or open attachments** unless you recognize the sender and know the content is safe.

You haven't received the SAC? Thats interesting. I sent it through service again. You should receive an email soon; but you should have earlier this month already. ill look further into that. Yes, it would be good to review as it delves into the nuance of this case. You know what they say, "the devils in the details."

Also, attached is all sections with my notes:

Stephen Chapman, B.Sc., AA
Medical Device Sales Manager, Los Angeles CA
C| +1 619-550-7543
E| Stefinchapman@outlook.com

"I have no special talents, I am but only passionately curious."

-Albert Einstein

EXHIBIT 4

PLEASE REFER
TO DKT. NO. 34,
34-1,2

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